

Senate Amendment 5269

PAG LIN

1 1 Amend House File 2734, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 [#1.](#) Page 1, line 13, by inserting after the word
1 4 <elderly> the following: <only if the monthly cost
1 5 per client for case management for the frail elderly
1 6 services provided does not exceed an average of \$70>.
1 7 [#2.](#) Page 1, line 23, by striking the figure
1 8 <3,627,645> and inserting the following: <4,262,660>.
1 9 [#3.](#) Page 1, line 34, by striking the figure
1 10 <2,153,208> and inserting the following: <2,788,223>.
1 11 [#4.](#) Page 2, line 1, by striking the figure
1 12 <750,000> and inserting the following: <1,385,015>.
1 13 [#5.](#) Page 2, line 10, by inserting after the word
1 14 <exceed> the following: <an average of>.
1 15 [#6.](#) Page 2, line 14, by inserting after the word
1 16 <individuals.> the following: <Notwithstanding any
1 17 provision to the contrary, any savings realized in
1 18 case management for the frail elderly that is not
1 19 provided under the medical assistance elderly waiver
1 20 shall be used for services for the frail elderly which
1 21 may include substitute decision-making services
1 22 pursuant to chapter 231E.>
1 23 [#7.](#) Page 3, line 19, by striking the figure
1 24 <2,341,264> and inserting the following: <2,361,264>.
1 25 [#8.](#) Page 3, line 20, by striking the figure <7.60>
1 26 and inserting the following: <8.60>.
1 27 [#9.](#) Page 4, by inserting after line 6 the
1 28 following:
1 29 <Of the funds appropriated in this subsection,
1 30 \$20,000 shall be used to implement a pilot
1 31 demonstration project, in cooperation with the
1 32 department of human services and the department of
1 33 elder affairs, that utilizes a web-based system to
1 34 allow a common intake, case management, and referral
1 35 system and provides linkages with existing software
1 36 programs at minimal cost to the agencies involved.>
1 37 [#10.](#) Page 4, line 11, by striking the figure
1 38 <1,792,840> and inserting the following: <1,742,840>.
1 39 [#11.](#) Page 4, line 12, by striking the figure
1 40 <2.35> and inserting the following: <3.75>.
1 41 [#12.](#) Page 4, line 17, by striking the figure
1 42 <170,000> and inserting the following: <120,000>.
1 43 [#13.](#) Page 4, line 33, by striking the figure
1 44 <300,000> and inserting the following: <159,700>.
1 45 [#14.](#) Page 4, line 35, by inserting after the word
1 46 <Iowa> the following: <and \$140,300 is allocated for
1 47 an initiative at the state mental health institute at
1 48 Cherokee>.
1 49 [#15.](#) Page 5, line 1, by striking the word
1 50 <initiative> and inserting the following:
2 1 <initiatives>.
2 2 [#16.](#) Page 5, line 6, by striking the word
2 3 <initiative> and inserting the following:
2 4 <initiatives>.
2 5 [#17.](#) Page 5, line 8, by striking the word
2 6 <initiative> and inserting the following:
2 7 <initiatives>.
2 8 [#18.](#) Page 5, by striking lines 21 through 24 and
2 9 inserting the following: <for counties not receiving
2 10 federal funding for this purpose, \$80,000 is allocated
2 11 to implement blood lead testing pursuant to section
2 12 135.105A, as enacted in this Act, \$50,000 is allocated
2 13 to continue the>.
2 14 [#19.](#) Page 5, by striking lines 29 and 30 and
2 15 inserting the following: <department shall select at
2 16 least two local childhood lead poisoning programs to
2 17 receive the amount allocated for lead hazard>.
2 18 [#20.](#) Page 6, line 17, by striking the figure
2 19 <7,891,473> and inserting the following: <7,941,473>.
2 20 [#21.](#) Page 6, line 18, by striking the figure
2 21 <112.80> and inserting the following: <113.80>.
2 22 [#22.](#) Page 6, by striking lines 22 through 24 and
2 23 inserting the following:
2 24 <Of the funds appropriated in this subsection,

2 25 \$50,000 is allocated for increased costs of the office
2 26 of the state medical examiner laboratory.>
2 27 #23. Page 10, line 15, by striking the figure
2 28 <17,827,536> and inserting the following:
2 29 <17,128,861>.
2 30 #24. Page 10, by inserting after line 15 the
2 31 following:
2 32 <2A. To be used for the family development and
2 33 self=sufficiency grant program as provided under
2 34 section 217.12 and this division of this Act:
2 35 \$ 2,698,675>
2 36 #25. Page 10, line 17, by striking the figure
2 37 <17,557,495> and inserting the following:
2 38 <17,707,495>.
2 39 #26. Page 10, by striking lines 18 through 20.
2 40 #27. Page 12, by striking lines 20 through 22.
2 41 #28. Page 14, by inserting after line 20 the
2 42 following:
2 43 <d. For the JOBS program:
2 44 \$ 23,968,620
2 45 Of the funds allocated in this lettered paragraph,
2 46 \$2,000,000 shall be used to maintain the mileage
2 47 reimbursement rate for the JOBS program at the same
2 48 rate used for the Medicaid program during the fiscal
2 49 year.>
2 50 #29. Page 14, line 32, by inserting after the word
3 1 <investment,> the following: <JOBS, family
3 2 development and self=sufficiency grant,>.
3 3 #30. Page 15, line 8, by striking the figure
3 4 <42,874,885> and inserting the following:
3 5 <42,599,885>.
3 6 #31. Page 15, line 9, by striking the figure
3 7 <9,274,134> and inserting the following: <6,839,767>.
3 8 #32. Page 15, by inserting after line 10 the
3 9 following:
3 10 <1A. Of the funds appropriated in this section,
3 11 \$2,584,367 is allocated for the family development and
3 12 self=sufficiency grant program as provided under
3 13 section 217.12 and this division of this Act.>
3 14 #33. Page 15, by striking lines 21 through 25.
3 15 #34. Page 15, by striking line 26 and inserting
3 16 the following:
3 17 <4. Notwithstanding section 8.39, for the>.
3 18 #35. Page 16, line 16, by inserting after the word
3 19 <purposes.> the following: <The department shall
3 20 report any transfers made pursuant to this subsection
3 21 to the legislative services agency.>
3 22 #36. Page 17, line 18, by striking the figure
3 23 <708,121,610> and inserting the following:
3 24 <652,311,610>.
3 25 #37. By striking page 19, line 35, through page
3 26 20, line 7, and inserting the following:
3 27 <____. The department shall apply to the centers
3 28 for Medicare and Medicaid services of the United
3 29 States department of health and human services to
3 30 participate in the Medicaid transformation grants
3 31 program as specified in section 6081 of the federal
3 32 Deficit Reduction Act of 2005, Pub. L. No. 109=171,
3 33 for adoption of innovative methods to improve the
3 34 effectiveness and efficiency in providing medical
3 35 assistance. The innovative methods may include but
3 36 are not limited to the use of electronic health
3 37 records and personal health records by health care
3 38 professionals and consumers to address the health
3 39 needs specific to populations including but not
3 40 limited to persons with brain injury, persons with
3 41 dual diagnoses of mental illness and mental
3 42 retardation or substance abuse and mental illness, and
3 43 children with chronic conditions; the use of
3 44 diagnostic techniques that promote the early diagnosis
3 45 and treatment of chronic disease in adults including
3 46 physical and mental health, hepatitis, behavioral
3 47 health, and cancer; and review of the physical and
3 48 mental health status of the medical assistance
3 49 population to more effectively integrate and determine
3 50 public health strategies and interventions to reduce
4 1 the incidence of preventable diseases and chronic
4 2 conditions in the medical assistance population
4 3 including but not limited to those related to obesity
4 4 and nutrition, smoking, and diabetes. The department
4 5 shall submit a draft of the application to the medical

4 6 assistance projections and assessment council for
4 7 approval as expeditiously as possible, prior to
4 8 submission to the centers for Medicare and Medicaid
4 9 services of the United States department of health and
4 10 human services. Any grant for which application is
4 11 made under this subsection shall not require state
4 12 matching funds. Any federal funding received shall be
4 13 used in coordination with the purposes of the account
4 14 for health care transformation pursuant to section
4 15 252J.23 and shall be integrated with the IowaCare
4 16 program pursuant to chapter 252J.>

4 17 #38. Page 20, by inserting after line 17 the
4 18 following:

4 19 <____. The department shall submit a medical
4 20 assistance state plan amendment to the centers for
4 21 Medicare and Medicaid services of the United States
4 22 department of health and human services that is in
4 23 substantially the form of the draft submitted by
4 24 letter dated March 1, 2006, and published on the
4 25 department website. The department shall adopt
4 26 emergency rules effective July 1, 2006, to implement
4 27 the state plan amendment.

4 28 _____. The department shall review the impact of the
4 29 federal Deficit Reduction Act of 2005, Pub. L. No.
4 30 109=171, on the state's medical assistance program
4 31 reimbursement policy for multiple source prescription
4 32 drug products and the Act's impact on participating
4 33 pharmacies. The department shall submit a report,
4 34 including recommendations relating to adjustments to
4 35 the medical assistance program pharmacy dispensing
4 36 fee, to the governor and the general assembly no later
4 37 than January 1, 2007.>

4 38 #39. Page 22, line 31, by inserting after the
4 39 figure <237A.26.> the following: <A list of the
4 40 registered and licensed child care facilities
4 41 operating in the area served by a child care resource
4 42 and referral service shall be made available to the
4 43 families receiving state child care assistance in that
4 44 area.>

4 45 #40. Page 23, by striking lines 20 through 29 and
4 46 inserting the following: <is transferred to the Iowa
4 47 empowerment fund to be used for professional
4 48 development for the system of early care, health, and
4 49 education.>

4 50 #41. Page 24, by striking lines 18 through 20 and
5 1 inserting the following: <the study group shall be
5 2 provided by the department of human services. The
5 3 study group membership shall also include but is>.

5 4 #42. Page 24, line 26, by inserting after the word
5 5 <services,> the following: <a representative of the
5 6 division of criminal and juvenile justice planning of
5 7 the department of human rights,>.

5 8 #43. Page 24, line 35, by striking the figure
5 9 <10,623,148> and inserting the following:
5 10 <10,608,148>.

5 11 #44. Page 25, line 3, by striking the figure
5 12 <40,000> and inserting the following: <25,000>.

5 13 #45. Page 25, line 18, by striking the figure
5 14 <80,715,373> and inserting the following:
5 15 <80,945,373>.

5 16 #46. Page 27, by striking lines 8 through 11 and
5 17 inserting the following:

5 18 <Notwithstanding section 234.35 or any other
5 19 provision of law to the contrary, for the fiscal year
5 20 beginning July 1, 2006, state funding for shelter care
5 21 shall be limited to the amount necessary to fund 273
5 22 beds that are guaranteed and seven beds that are not
5 23 guaranteed. The department shall submit an emergency
5 24 services plan by December 15, 2006, to the persons
5 25 designated by this division of this Act to receive
5 26 reports. The plan shall identify crisis intervention
5 27 and emergency services alternatives to shelter care
5 28 and shall specify the numbers of shelter beds that are
5 29 guaranteed and not guaranteed, as determined necessary
5 30 by the department.>

5 31 #47. Page 30, line 31, by inserting after the word
5 32 <"a"> the following: <and the juveniles' families>.

5 33 #48. Page 31, by inserting after line 22 the
5 34 following:

5 35 <____. Of the funds appropriated in this section,
5 36 \$230,000 shall be used for a grant to a nonprofit

5 37 human services organization providing services to
5 38 individuals and families in multiple locations in
5 39 southwest Iowa and Nebraska for support of a project
5 40 providing immediate, sensitive support and forensic
5 41 interviews, medical exams, needs assessments and
5 42 referrals for victims of child abuse and their
5 43 nonoffending family members.>
5 44 #49. Page 32, line 32, by inserting after the
5 45 figure <196,000> the following: <in the latest
5 46 preceding certified federal census>.
5 47 #50. Page 34, line 34, by striking the figure
5 48 <5,979,344> and inserting the following: <6,179,344>.
5 49 #51. Page 35, line 16, by striking the figure
5 50 <1,071,074> and inserting the following: <1,046,074>.
6 1 #52. Page 37, line 6, by striking the figure
6 2 <10,586,619> and inserting the following:
6 3 <12,286,619>.
6 4 #53. Page 37, line 28, by striking the figure
6 5 <17,757,890> and inserting the following:
6 6 <18,017,890>.
6 7 #54. Page 39, by inserting after line 3 the
6 8 following:
6 9 <6. Of the funds appropriated in this section,
6 10 \$260,000 is allocated to the department for
6 11 development of an assessment process for use beginning
6 12 in a subsequent fiscal year as authorized specifically
6 13 by a statute to be enacted in a subsequent fiscal
6 14 year, determining on a consistent basis the needs and
6 15 capacities of persons seeking or receiving mental
6 16 health, mental retardation, developmental
6 17 disabilities, or brain injury services that are paid
6 18 for in whole or in part by the state or a county. The
6 19 assessment process shall be developed with the
6 20 involvement of counties and supervision of the mental
6 21 health, mental retardation, developmental
6 22 disabilities, and brain injury commission.>
6 23 #55. Page 40, line 15, by striking the figure
6 24 <14,028,679> and inserting the following:
6 25 <14,528,679>.
6 26 #56. Page 40, line 16, by striking the figure
6 27 <309.00> and inserting the following: <311.00>.
6 28 #57. Page 40, by inserting after line 25 the
6 29 following:
6 30 <3. Of the funds appropriated in this section,
6 31 \$500,000 is allocated for salary and technical
6 32 assistance expenses for the department to reestablish
6 33 a separate division to which the appropriate
6 34 departmental duties addressing mental health, mental
6 35 retardation, developmental disabilities, and brain
6 36 injury services shall be assigned.>
6 37 #58. Page 41, line 34, by inserting after the word
6 38 <The> the following: <skilled nursing facility market
6 39 basket>.
6 40 #59. Page 47, by inserting after line 22 the
6 41 following:
6 42 <Sec. _____. LOW=INCOME HOME ENERGY ASSISTANCE
6 43 PROGRAM == SUPPLEMENTAL APPROPRIATION.
6 44 1. There is appropriated from the general fund of
6 45 the state to the division of community action agencies
6 46 of the department of human rights for the fiscal year
6 47 beginning July 1, 2005, and ending June 30, 2006, the
6 48 following amount, or so much thereof as is necessary,
6 49 to be used for the purpose designated:
6 50 For supplementation of the appropriation made for
7 1 the low-income home energy assistance program made in
7 2 2005 Iowa Acts, chapter 164, section 10:
7 3 \$ 3,000,000
7 4 2. Notwithstanding section 8.33, moneys
7 5 appropriated in this section that remain unencumbered
7 6 or unobligated at the close of the fiscal year shall
7 7 not revert but shall remain available for expenditure
7 8 for the purposes designated until the close of the
7 9 succeeding fiscal year.
7 10 3. The legislative council is requested to
7 11 authorize a review of the low-income home energy
7 12 assistance program and weatherization program by the
7 13 fiscal committee of the legislative council or other
7 14 body during the 2006 legislative interim. The issues
7 15 reviewed shall include but are not limited to
7 16 financial assistance, the application and intake
7 17 processes, and the community action agencies

7 18 assessment and resolution proposal. The review shall
7 19 also include involving the department of human
7 20 services in the administration of the programs to
7 21 enable low-income persons to access additional
7 22 assistance programs through a single location.>
7 23 #60. Page 47, by inserting before line 23 the
7 24 following:

7 25 <Sec. _____. Section 16.183, subsections 1 and 3,
7 26 Code 2005, are amended to read as follows:
7 27 1. A home and community-based services revolving
7 28 loan program fund is created within the authority to
7 29 further the goals specified in section 231.3, adult
7 30 day services, respite services, ~~and~~ congregate meals,
7 31 ~~health and wellness, health screening, and nutritional~~
7 32 ~~assessments.~~ The moneys in the home and
7 33 community-based services revolving loan program fund
7 34 shall be used by the authority for the development and
7 35 operation of a revolving loan program to develop and
7 36 expand facilities and infrastructure that provide
7 37 adult day services, respite services, ~~and~~ congregate
7 38 meals, ~~and programming space for health and wellness,~~
7 39 ~~health screening, and nutritional assessments~~ that

7 40 address the needs of persons with low incomes.
7 41 3. The authority, in cooperation with the
7 42 department of elder affairs, shall annually allocate
7 43 moneys available in the home and community-based
7 44 services revolving loan program fund to develop and
7 45 expand facilities and infrastructure that provide
7 46 adult day services, respite services, ~~and~~ congregate
7 47 meals, ~~and programming space for health and wellness,~~
7 48 ~~health screening, and nutritional assessments~~ that

7 49 address the needs of persons with low incomes.>

7 50 #61. Page 48, by inserting after line 35 the

8 1 following:

8 2 <Sec. _____. 2005 Iowa Acts, chapter 175, section 9,
8 3 unnumbered paragraph 2, is amended to read as follows:

8 4 For medical assistance reimbursement and associated
8 5 costs as specifically provided in the reimbursement
8 6 methodologies in effect on June 30, 2005, except as
8 7 otherwise expressly authorized by law, including
8 8 reimbursement for abortion services, which shall be
8 9 available under the medical assistance program only
8 10 for those abortions which are medically necessary:

8 11 \$519,040,317
8 12 538,040,317>

8 13 #62. Page 50, by striking lines 23 through 32 and
8 14 inserting the following:

8 15 <Sec. _____. 2005 Iowa Acts, chapter 175, section
8 16 22, is amended by adding the following new subsection:

8 17 NEW SUBSECTION. 2A. a. Notwithstanding sections
8 18 8.33 and 222.92, of the revenues available to the
8 19 state resource centers that remain unencumbered or
8 20 unobligated at the close of the fiscal year the
8 21 indicated amounts shall not revert but shall remain
8 22 available for expenditure for the purposes designated
8 23 until the close of the succeeding fiscal year:

8 24 (1) For the state resource center at Glenwood,
8 25 \$1,250,000.

8 26 (2) For the state resource center at Woodward,
8 27 \$750,000.

8 28 b. Of the amounts designated in paragraph "a",
8 29 \$250,000 at each resource center shall be used to
8 30 continue the procurement and installation of the
8 31 electronic medical records system initiated in the
8 32 fiscal year beginning July 1, 2005.>

8 33 #63. Page 50, line 35, by striking the figure
8 34 <200,000> and inserting the following: <400,000>.

8 35 #64. Page 51, line 19, by striking the figure
8 36 <167,042,326> and inserting the following:

8 37 <168,156,999>.

8 38 #65. Page 51, line 35, by inserting after the
8 39 words <adjust the> the following: <skilled nursing
8 40 facility market basket>.

8 41 #66. Page 52, by inserting after line 3 the
8 42 following:

8 43 <Sec. _____. 2005 Iowa Acts, chapter 175, section
8 44 29, subsection 1, paragraph a, is amended by adding
8 45 the following new subparagraph:

8 46 NEW SUBPARAGRAPH. (4) For the period of April 1,
8 47 2006, through June 30, 2006, the department shall
8 48 apply one-third of the skilled nursing facility market

8 49 basket index to the midpoint of the rate period
8 50 beginning July 1, 2005. The department may adopt
9 1 emergency rules to implement this subparagraph.>
9 2 #67. Page 52, by inserting before line 4 the
9 3 following:
9 4 <Sec. _____. NONREVERSION == FY 2007=2008 BASE
9 5 BUDGET. For purposes of the budget process under
9 6 section 8.23 for the fiscal year beginning July 1,
9 7 2007, the base budget amounts for the appropriations
9 8 made to the department of human services for the
9 9 purposes designated in this division of this Act shall
9 10 be adjusted to include the amounts of the
9 11 appropriations made for the same purposes for the
9 12 fiscal year beginning July 1, 2005, that, pursuant to
9 13 this division of this Act, do not revert and remain
9 14 available for expenditure in the succeeding fiscal
9 15 year. However, this section does not apply to those
9 16 units that operate on the basis of a net general fund
9 17 appropriation.>
9 18 #68. Page 52, by inserting after line 6 the
9 19 following:
9 20 <_____. The provision under the appropriation for
9 21 medical assistance relating to the submission of a
9 22 medical assistance state plan amendment to the centers
9 23 for Medicare and Medicaid services of the United
9 24 States department of health and human services.
9 25 _____. The provision under the appropriation for
9 26 medical assistance relating to the directive to the
9 27 department of human services to apply for
9 28 participation in the Medicaid transformation grants
9 29 program as specified in the federal Deficit Reduction
9 30 Act of 2005.>
9 31 #69. Page 52, by inserting after line 11 the
9 32 following:
9 33 <1A. The provision enacting a supplemental
9 34 appropriation to the department of human rights for
9 35 purposes of the low-income home energy assistance
9 36 program.>
9 37 #70. Page 52, line 20, by striking the word
9 38 <provision> and inserting the following:
9 39 <provisions>.
9 40 #71. Page 53, by inserting after line 4 the
9 41 following:
9 42 <Sec. _____. EFFECTIVE DATE == RETROACTIVE
9 43 APPLICABILITY. The provision of this division of this
9 44 Act amending 2005 Iowa Acts, chapter 175, section 29,
9 45 subsection 1, paragraph "a", by enacting new
9 46 subparagraph (4), being deemed of immediate
9 47 importance, takes effect upon enactment and is
9 48 retroactively applicable to April 1, 2006.>
9 49 #72. Page 53, by inserting after line 6 the
9 50 following:
10 1 <ENDOWMENT FOR IOWA'S HEALTH ACCOUNT,>
10 2 #73. Page 53, line 17, by inserting after the word
10 3 <including> the following: <case management only if
10 4 the monthly cost per client for case management for
10 5 the frail elderly services provided does not exceed an
10 6 average of \$70, and including>.
10 7 #74. Page 53, line 31, by inserting after the word
10 8 <exceed> the following: <an average of>.
10 9 #75. Page 54, line 33, by striking the figure
10 10 <40,000,000> and inserting the following:
10 11 <65,000,000>.
10 12 #76. Page 55, by inserting after line 23 the
10 13 following:
10 14 <Sec. _____. ENDOWMENT FOR IOWA'S HEALTH ACCOUNT ==
10 15 SENIOR LIVING TRUST FUND. There is appropriated from
10 16 the endowment for Iowa's health account of the tobacco
10 17 settlement trust fund created in section 12E.12 to the
10 18 senior living trust fund created in section 249H.4 for
10 19 the fiscal year beginning July 1, 2006, and ending
10 20 June 30, 2007, the following amount:
10 21 \$ 25,000,000>
10 22 #77. Page 57, line 25, by striking the figure
10 23 <37,000,000> and inserting the following:
10 24 <40,000,000>.
10 25 #78. Page 57, by inserting after line 25 the
10 26 following:
10 27 <Notwithstanding any provision of law to the
10 28 contrary, of the amount appropriated in this
10 29 subsection, \$37,000,000 shall be allocated in twelve

10 30 equal monthly payments as provided in section 249J.24.
10 31 Any amount appropriated in this subsection in excess
10 32 of \$37,000,000 shall be allocated only if federal
10 33 funds are available to match the amount allocated.>
10 34 #79. Page 59, by inserting after line 21 the
10 35 following:

10 36 <Notwithstanding section 8.39, subsection 1,
10 37 without the prior written consent and approval of the
10 38 governor and the director of the department of
10 39 management, the director of human services may
10 40 transfer funds among the appropriations made in this
10 41 section, as necessary to carry out the purposes of the
10 42 account for health care transformation. The
10 43 department shall report any transfers made pursuant to
10 44 this section to the legislative services agency.>

10 45 #80. Page 60, by inserting after line 23 the
10 46 following:

10 47 <Sec. ____ 2006 Iowa Acts, House File 2347,
10 48 section 5, is amended to read as follows:

10 49 SEC. 5. ~~APPROPRIATION TRANSFER == HEALTH CARE~~
10 50 ~~TRANSFORMATION ACCOUNT. There is appropriated~~

11 1 ~~transferred~~ from the account for health care
11 2 transformation created in section 249J.23, to the
11 3 ~~department of human services IowaCare account created~~
11 4 ~~in section 249J.24, \$2,000,000 for the fiscal year~~
11 5 ~~beginning July 1, 2005, and ending June 30, 2006, the~~
11 6 ~~following amount, or so much thereof as is necessary,~~
11 7 ~~for the purposes designated:~~

11 8 ~~For payments to the university of Iowa hospitals~~
11 9 ~~and clinics for provision of services pursuant to and~~
11 10 ~~for costs associated with chapter 249J:~~

11 11 \$ 2,000,000

11 12 ~~Notwithstanding section 8.33, moneys appropriated~~
11 13 ~~in this section that remain unencumbered or~~
11 14 ~~unobligated at the close of the fiscal year shall not~~
11 15 ~~revert, but shall remain available for expenditure for~~
11 16 ~~the purposes designated until the close of the~~
11 17 ~~succeeding fiscal year.~~

11 18 Sec. ____ 2005 Iowa Acts, chapter 167, section 63,
11 19 subsection 1, is amended to read as follows:

11 20 1. There is appropriated from the ~~Iowacare~~
11 21 ~~IowaCare~~ account created in section 249J.23 to the
11 22 university of Iowa hospitals and clinics for the
11 23 fiscal year beginning July 1, 2005, and ending June
11 24 30, 2006, the following amount, or so much thereof as
11 25 is necessary, to be used for the purposes designated:

11 26 For salaries, support, maintenance, equipment, and
11 27 miscellaneous purposes, for the provision of medical
11 28 and surgical treatment of indigent patients, for
11 29 provision of services to members of the expansion
11 30 population pursuant to chapter 249J, as enacted in
11 31 this Act, and for medical education:

11 32 \$ 27,284,584
11 33 37,862,932

11 34 Notwithstanding any provision of this Act to the
11 35 contrary, of the amount appropriated in this
11 36 subsection, \$27,284,584 shall be allocated in twelve
11 37 equal monthly payments as provided in section 249J.23,
11 38 as enacted in this Act. Any amount appropriated in
11 39 this subsection in excess of \$27,284,584 shall be
11 40 allocated only if federal funds are available to match
11 41 the amount allocated. Notwithstanding section 8.33,
11 42 moneys appropriated in this subsection that remain
11 43 unencumbered or unobligated at the close of the fiscal
11 44 year shall not revert, but shall remain available for
11 45 expenditure for the purposes designated until the
11 46 close of the succeeding fiscal year.>

11 47 #81. Page 61, by inserting after line 9 the
11 48 following:

11 49 <____. The provision amending 2005 Iowa Acts,
11 50 chapter 167, section 63.>

12 1 #82. Page 61, by inserting after line 12 the
12 2 following:

12 3 <Sec. ____ EFFECTIVE DATE == RETROACTIVE
12 4 APPLICABILITY. The section of this division of this
12 5 Act amending 2006 Iowa Acts, House File 2347, section
12 6 5, being deemed of immediate importance, takes effect
12 7 upon enactment and is retroactively applicable to
12 8 March 9, 2006.>

12 9 #83. Page 61, by inserting after line 18 the
12 10 following:

12 11 <Sec. _____. 2005 Iowa Acts, chapter 179, section 1,
12 12 subsection 1, is amended to read as follows:

12 13 1. There is appropriated from the general fund of
12 14 the state to the department of human services for the
12 15 fiscal year beginning July 1, 2006, and ending June
12 16 30, 2007, the following amount, or so much thereof as
12 17 is necessary, to be used for the purpose designated:

12 18 For distribution to counties of the county mental
12 19 health, mental retardation, and developmental
12 20 disabilities allowed growth factor adjustment, as
12 21 provided in this section in lieu of the provisions of
12 22 section 331.438, subsection 2, and section 331.439,
12 23 subsection 3, and chapter 426B:

12 24 \$ ~~35,788,041~~
12 25 38,888,041>

12 26 #84. Page 61, by striking lines 25 through 33 and
12 27 inserting the following:

12 28 <Sec. _____. 2005 Iowa Acts, chapter 179, section 1,
12 29 subsection 2, paragraphs b and c, are amended to read
12 30 as follows:

12 31 b. For deposit in the per capita expenditure
12 32 target pool created in the property tax relief fund
12 33 and for distribution in accordance with section
12 34 426B.5, subsection 1:

12 35 \$ ~~19,361,148~~
12 36 24,461,148

12 37 c. For deposit in the risk pool created in the
12 38 property tax relief fund and for distribution in
12 39 accordance with section 426B.5, subsection 2:

12 40 \$ ~~2,000,000~~
12 41 0>

12 42 #85. Page 62, line 14, by striking the figure
12 43 <25,925,724> and inserting the following:

12 44 <32,125,724>.

12 45 #86. Page 62, line 34, by inserting after the word
12 46 <year.> the following: <If a county borrowed moneys
12 47 for purposes of providing services from the county's
12 48 services fund on or before July 1, 2005, and the
12 49 county's services fund ending balance for that fiscal
12 50 year includes the loan proceeds or an amount
13 1 designated in the county budget to service the loan
13 2 for the borrowed moneys, those amounts shall not be
13 3 considered to be part of the county's ending balance
13 4 for purposes of calculating an ending balance
13 5 percentage under this subsection.>

13 6 #87. Page 63, line 22, by striking the figure
13 7 <4,564,576> and inserting the following: <7,664,576>.

13 8 #88. Page 64, by inserting after line 4 the
13 9 following:

13 10 <Sec. _____. Section 135.2, Code 2005, is amended to
13 11 read as follows:

13 12 135.2 APPOINTMENT OF DIRECTOR AND ACTING DIRECTOR.

13 13 1. a. The governor shall appoint the director of
13 14 the department, subject to confirmation by the senate.
13 15 The director shall serve at the pleasure of the
13 16 governor. The director is exempt from the merit
13 17 system provisions of chapter 8A, subchapter IV. The
13 18 governor shall set the salary of the director within
13 19 the range established by the general assembly.

13 20 b. The director shall possess education and
13 21 experience in public health.

13 22 2. The director may appoint an employee of the
13 23 department to be acting director, who shall have all
13 24 the powers and duties possessed by the director. The
13 25 director may appoint more than one acting director but
13 26 only one acting director shall exercise the powers and
13 27 duties of the director at any time.

13 28 Sec. _____. NEW SECTION. 135.12 OFFICE OF
13 29 MULTICULTURAL HEALTH == ESTABLISHED == DUTIES.

13 30 The office of multicultural health is established
13 31 within the department. The office shall be
13 32 responsible for all of the following:

13 33 1. Providing comprehensive management strategies
13 34 to address culturally and linguistically appropriate
13 35 services, including strategic goals, plans, policies,
13 36 and procedures, and designating staff responsible for
13 37 implementation.

13 38 2. Requiring and arranging for ongoing education
13 39 and training for administrative, clinical, and other
13 40 appropriate staff in culturally and linguistically
13 41 competent health care and service delivery.

13 42 3. Utilizing formal mechanisms for community and
13 43 consumer involvement and coordinating with other state
13 44 agencies to identify resources and programs that
13 45 affect the health service delivery systems.

13 46 Sec. _____. Section 135.22A, subsection 3, Code
13 47 Supplement 2005, is amended to read as follows:

13 48 3. The council shall be composed of a minimum of
13 49 nine members appointed by the governor in addition to
13 50 the ex officio members, and the governor may appoint
14 1 additional members. Insofar as practicable, the
14 2 council shall include persons with brain injuries,
14 3 family members of persons with brain injuries,
14 4 representatives of industry, labor, business, and
14 5 agriculture, representatives of federal, state, and
14 6 local government, and representatives of religious,
14 7 charitable, fraternal, civic, educational, medical,
14 8 legal, veteran, welfare, and other professional groups
14 9 and organizations. Members shall be appointed
14 10 representing every geographic and employment area of
14 11 the state and shall include members of both sexes. A
14 12 simple majority of the members appointed by the
14 13 governor shall constitute a quorum.

14 14 Sec. _____. Section 135.63, subsection 2, paragraph
14 15 o, Code 2005, is amended to read as follows:

14 16 o. The change in ownership, licensure,
14 17 organizational structure, or designation of the type
14 18 of institutional health facility if the health
14 19 services offered by the successor institutional health
14 20 facility are unchanged. This exclusion is applicable
14 21 only if the institutional health facility consents to
14 22 the change in ownership, licensure, organizational
14 23 structure, or designation of the type of institutional
14 24 health facility and ceases offering the health
14 25 services simultaneously with the initiation of the
14 26 offering of health services by the successor
14 27 institutional health facility.

14 28 Sec. _____. NEW SECTION. 135.105D BLOOD LEAD
14 29 TESTING == PROVIDER EDUCATION == PAYOR OF LAST RESORT.

14 30 1. For purposes of this section:

14 31 a. "Blood lead testing" means taking a capillary
14 32 or venous sample of blood and sending it to a
14 33 laboratory to determine the level of lead in the
14 34 blood.

14 35 b. "Capillary" means a blood sample taken from the
14 36 finger or heel for lead analysis.

14 37 c. "Health care provider" means a physician who is
14 38 licensed under chapter 148, 150, or 150A, or a person
14 39 who is licensed as a physician assistant under chapter
14 40 148C, or as an advanced registered nurse practitioner.

14 41 d. "Venous" means a blood sample taken from a vein
14 42 in the arm for lead analysis.

14 43 2. The department shall work with health care
14 44 provider associations to educate health care providers
14 45 regarding requirements for testing children who are
14 46 enrolled in certain federally funded programs and
14 47 regarding department recommendations for testing other
14 48 children for lead poisoning.

14 49 3. The department shall implement blood lead
14 50 testing for children under six years of age who are
15 1 not eligible for the testing services to be paid by a
15 2 third-party source. The department shall contract
15 3 with one or more public health laboratories to provide
15 4 blood lead analysis for such children. The department
15 5 shall establish by rule the procedures for health care
15 6 providers to submit samples to the contracted public
15 7 health laboratories for analysis. The department
15 8 shall also establish by rule a method to reimburse
15 9 health care providers for drawing blood samples from
15 10 such children and the dollar amount that the
15 11 department will reimburse health care providers for
15 12 the service. Payment for blood lead analysis and
15 13 drawing blood samples shall be limited to the amount
15 14 appropriated for the program in a fiscal year.

15 15 Sec. _____. Section 135.109, subsection 3, paragraph
15 16 b, Code 2005, is amended to read as follows:

15 17 b. A licensed physician or nurse who is
15 18 knowledgeable concerning domestic abuse injuries and
15 19 deaths, including suicides.

15 20 Sec. _____. Section 135.109, subsection 4, Code
15 21 2005, is amended by adding the following new
15 22 paragraph:

15 23 NEW PARAGRAPH. j. The director of the state law
15 24 enforcement academy.
15 25 Sec. _____. Section 135.110, subsection 1, paragraph
15 26 a, unnumbered paragraph 1, Code 2005, is amended to
15 27 read as follows:
15 28 Prepare ~~an annual~~ a biennial report for the
15 29 governor, supreme court, attorney general, and the
15 30 general assembly concerning the following subjects:
15 31 Sec. _____. Section 135.140, subsection 6, paragraph
15 32 a, Code Supplement 2005, is amended by adding the
15 33 following new subparagraphs:
15 34 NEW SUBPARAGRAPH. (6) A natural occurrence or
15 35 incident, including but not limited to fire, flood,
15 36 storm, drought, earthquake, tornado, or windstorm.
15 37 NEW SUBPARAGRAPH. (7) A man-made occurrence or
15 38 incident, including but not limited to an attack,
15 39 spill, or explosion.
15 40 Sec. _____. Section 137.6, subsection 2, paragraph
15 41 a, Code 2005, is amended to read as follows:
15 42 a. Rules of a county board shall become effective
15 43 upon approval by the county board of supervisors by a
15 44 motion or resolution as defined in section 331.101,
15 45 subsection 13, and publication in a newspaper having
15 46 general circulation in the county.
15 47 Sec. _____. NEW SECTION. 139A.13A ISOLATION OR
15 48 QUARANTINE == EMPLOYMENT PROTECTION.
15 49 1. An employer shall not discharge an employee, or
15 50 take or fail to take action regarding an employee's
16 1 promotion or proposed promotion, or take action to
16 2 reduce an employee's wages or benefits for actual time
16 3 worked, due to the compliance of an employee with a
16 4 quarantine or isolation order issued by the department
16 5 or a local board.
16 6 2. An employee whose employer violates this
16 7 section may petition the court for imposition of a
16 8 cease and desist order against the person's employer
16 9 and for reinstatement to the person's previous
16 10 position of employment. This section does not create
16 11 a private cause of action for relief of money damages.
16 12 Sec. _____. Section 147.82, subsection 3, Code
16 13 Supplement 2005, is amended to read as follows:
16 14 3. The department may annually retain and expend
16 15 not more than one hundred thousand dollars for
16 16 reduction of the number of days necessary to process
16 17 medical license requests and for reduction of the
16 18 number of days needed for consideration of malpractice
16 19 cases from fees collected pursuant to section 147.80
16 20 by the board of medical examiners ~~in the fiscal year~~
~~16 21 beginning July 1, 2005, and ending June 30, 2006.~~
16 22 Fees retained by the department pursuant to this
16 23 subsection shall be considered repayment receipts as
16 24 defined in section 8.2 and shall be used for the
16 25 purposes described in this subsection.
16 26 Sec. _____. Section 147.153, subsection 3, Code
16 27 2005, is amended to read as follows:
16 28 3. Pass an examination administered as determined
16 29 ~~by the board to assure the applicant's professional~~
~~16 30 competence in speech pathology or audiology by rule.~~
16 31 Sec. _____. Section 147.155, Code 2005, is amended
16 32 to read as follows:
16 33 147.155 TEMPORARY CLINICAL LICENSE.
16 34 Any person who has fulfilled all of the
16 35 requirements for licensure under this division, except
16 36 for having completed the nine months clinical
16 37 experience requirement as provided in section 147.153,
16 38 subsection 1 or 2, and the examination as provided in
16 39 section 147.153, subsection 3, may apply to the board
16 40 for a temporary clinical license. The license shall
16 41 be designated "temporary clinical license in speech
16 42 pathology" or "temporary clinical license in
16 43 audiology" and shall authorize the licensee to
16 44 practice speech pathology or audiology under the
16 45 supervision of a licensed speech pathologist or
16 46 licensed audiologist, as appropriate. The license
16 47 shall be valid for one year and may be renewed once at
16 48 the discretion of the board. The fee for a temporary
16 49 clinical license shall be set by the board to cover
16 50 the administrative costs of issuing the license, and
17 1 if renewed, a renewal fee as set by the board shall be
17 2 required. A temporary clinical license shall be
17 3 issued only upon evidence satisfactory to the board

17 4 that the applicant will be supervised by a person
17 5 licensed as a speech pathologist or audiologist, as
17 6 appropriate. ~~The board shall revoke any temporary
17 7 clinical license at any time it determines either that
17 8 the work done by the temporary clinical licensee or
17 9 the supervision being given the temporary clinical
17 10 licensee does not conform to reasonable standards
17 11 established by the board.~~

17 12 Sec. ____ NEW SECTION. 147A.15 AUTOMATED
17 13 EXTERNAL DEFIBRILLATOR EQUIPMENT == PENALTY.

17 14 Any person who damages, wrongfully takes or
17 15 withholds, or removes any component of automated
17 16 external defibrillator equipment located in a public
17 17 or privately owned location, including batteries
17 18 installed to operate the equipment, is guilty of a
17 19 serious misdemeanor.

17 20 Sec. ____ Section 148.2, subsection 5, Code 2005,
17 21 is amended to read as follows:

17 22 5. Physicians and surgeons of the United States
17 23 army, navy, ~~or air force, marines,~~ public health
17 24 service, ~~or other uniformed service~~ when acting in the
17 25 line of duty in this state, and holding a current,
17 26 active permanent license in good standing in another
17 27 state, district, or territory of the United States, or
17 28 physicians and surgeons licensed in another state,
17 29 when incidentally called into this state in
17 30 consultation with a physician and surgeon licensed in
17 31 this state.

17 32 Sec. ____ Section 149.3, Code 2005, is amended to
17 33 read as follows:

17 34 149.3 LICENSE.

17 35 Every applicant for a license to practice podiatry
17 36 shall:

17 37 1. Be a graduate of an accredited high school of
17 38 podiatry.

17 39 2. Present ~~a diploma~~ an official transcript issued
17 40 by a school of podiatry approved by the board of
17 41 podiatry examiners.

17 42 3. Pass an examination ~~in the subjects of anatomy,~~
17 43 ~~chemistry, dermatology, diagnosis, pharmacy and~~
17 44 ~~materia medica, pathology, physiology, histology,~~
17 45 ~~bacteriology, neurology, practical and clinical~~
17 46 ~~podiatry, foot orthopedics, and others, as prescribed~~
17 47 ~~by the board of podiatry examiners as determined by~~
17 48 ~~the board by rule.~~

17 49 4. Have successfully completed a ~~one-year~~
17 50 ~~residency or preceptorship approved by the board of~~
18 1 ~~podiatry examiners as determined by the board by rule.~~

18 2 This subsection applies to all applicants who graduate
18 3 from podiatric college on or after January 1, 1995.

18 4 Sec. ____ Section 149.7, unnumbered paragraph 2,
18 5 Code 2005, is amended to read as follows:

18 6 The temporary certificate shall be issued for one
18 7 year and may be renewed, but a person shall not be
18 8 entitled to practice podiatry in excess of three years
18 9 while holding a temporary certificate. The fee for
18 10 this certificate shall be set by the podiatry
18 11 examiners and if extended beyond one year a renewal
18 12 fee per year shall be set by the podiatry examiners.
18 13 The fees shall be based on the administrative costs of
18 14 issuing and renewing the certificates. ~~The podiatry~~
18 15 ~~examiners may cancel a temporary certificate at any~~
18 16 ~~time, without a hearing, for reasons deemed sufficient~~
18 17 ~~to the podiatry examiners.~~

18 18 Sec. ____ Section 149.7, unnumbered paragraphs 3
18 19 and 4, Code 2005, are amended by striking the
18 20 unnumbered paragraphs.

18 21 Sec. ____ Section 151.12, Code 2005, is amended to
18 22 read as follows:

18 23 151.12 TEMPORARY CERTIFICATE.

18 24 The chiropractic examiners may, in their
18 25 discretion, issue a temporary certificate authorizing
18 26 the licensee to practice chiropractic if, in the
18 27 opinion of the chiropractic examiners, a need exists
18 28 and the person possesses the qualifications prescribed
18 29 by the chiropractic examiners for the license, which
18 30 shall be substantially equivalent to those required
18 31 for licensure under this chapter. The chiropractic
18 32 examiners shall determine in each instance those
18 33 eligible for this license, whether or not examinations
18 34 shall be given, ~~and~~ the type of examinations, and the

18 35 duration of the license. No requirements of the law
18 36 pertaining to regular permanent licensure are
18 37 mandatory for this temporary license except as
18 38 specifically designated by the chiropractic examiners.
18 39 The granting of a temporary license does not in any
18 40 way indicate that the person so licensed is eligible
18 41 for regular licensure, nor are the chiropractic
18 42 examiners in any way obligated to so license the
18 43 person.

18 44 The temporary certificate shall be issued for one
18 45 year and at the discretion of the chiropractic
18 46 examiners may be renewed, but a person shall not
18 47 practice chiropractic in excess of three years while
18 48 holding a temporary certificate. The fee for this
18 49 license shall be set by the chiropractic examiners and
18 50 if extended beyond one year a renewal fee per year
19 1 shall be set by the chiropractic examiners. The fees
19 2 ~~fee for the temporary license~~ shall be based on the
19 3 administrative costs of issuing and renewing the
19 4 licenses. ~~The chiropractic examiners may cancel a~~
~~19 5 temporary certificate at any time, without a hearing,~~
~~19 6 for reasons deemed sufficient to the chiropractic~~
~~19 7 examiners.~~

~~19 8 When the chiropractic examiners cancel a temporary~~
~~19 9 certificate they shall promptly notify the licensee by~~
~~19 10 registered mail, at the licensee's last-named address,~~
~~19 11 as reflected by the files of the chiropractic~~
~~19 12 examiners, and the temporary certificate is terminated~~
~~19 13 and of no further force and effect three days after~~
~~19 14 the mailing of the notice to the licensee.~~

~~19 15 Sec. ____.~~ Section 154.3, subsection 1, Code 2005,
19 16 is amended to read as follows:

19 17 1. Every applicant for a license to practice
19 18 optometry shall:

19 19 a. ~~Present satisfactory evidence of a preliminary~~
~~19 20 education equivalent to at least four years study in~~
~~19 21 an accredited high school or other secondary school.~~

19 22 Be a graduate of an accredited school of optometry.

19 23 b. Present a diploma from an official transcript
19 24 issued by an accredited school of optometry.

19 25 c. ~~Pass an examination prescribed by the optometry~~
~~19 26 examiners in the subjects of physiology of the eye,~~
~~19 27 optical physics, anatomy of the eye, ophthalmology,~~
~~19 28 and practical optometry as determined by the board by~~
19 29 rule.

19 30 Sec. ____.

19 31 Section 154B.6, subsection 3, Code 2005,
19 32 is amended to read as follows:

19 33 3. Have not failed the examination required in
19 34 subsection 2 within ~~the six months next~~ sixty days
19 35 preceding the date of the subsequent examination.

19 36 The examinations required in this section may, at
19 37 the discretion of the board, be waived for holders by
19 38 examination of licenses or certificates from states
19 39 whose requirements are substantially equivalent to
19 40 those of this chapter, and for holders by examination
19 41 of specialty diplomas from the American board of
19 42 professional psychology.

19 43 ~~Any person who within one year after July 1, 1975,~~
~~19 44 meets the requirements specified in subsection 1 shall~~
~~19 45 receive licensure without having passed the~~
~~19 46 examination required in subsection 2 if application~~
~~19 47 for licensure is filed with the board of psychology~~
~~19 48 examiners before July 1, 1977. Any person holding a~~
~~19 49 certificate as a psychologist from the board of~~
~~19 50 examiners of the Iowa psychological association on~~
~~20 1 July 1, 1977, who applies for certification before~~
~~20 2 July 1, 1975, shall receive certification.~~

20 3 Sec. ____.

20 4 Section 154D.2, subsection 2, paragraph
20 5 b, Code Supplement 2005, is amended to read as
20 6 follows:

20 7 b. Has at least two years of supervised clinical
20 8 experience or its equivalent in assessing mental
20 9 health needs and problems and in providing appropriate
20 10 mental health services as approved by the board.
20 11 Standards for supervision, including the required
20 12 qualifications for supervisors, shall be determined by
20 13 the board by rule.

20 14 Sec. ____.

20 15 NEW SECTION. 154E.3A TEMPORARY
20 16 LICENSE.

20 17 Beginning July 1, 2007, an individual who does not
20 18 meet the requirements for licensure by examination

20 16 pursuant to section 154E.3 may apply for or renew a
20 17 temporary license. The temporary license shall
20 18 authorize the licensee to practice as a sign language
20 19 interpreter or transliterator under the direct
20 20 supervision of a sign language interpreter or
20 21 transliterator licensed pursuant to section 154E.3.
20 22 The temporary license shall be valid for two years and
20 23 may only be renewed one time in accordance with
20 24 standards established by rule. An individual shall
20 25 not practice for more than a total of four years under
20 26 a temporary license. The board may revoke a temporary
20 27 license if it determines that the temporary licensee
20 28 has violated standards established by rule. The board
20 29 may adopt requirements for temporary licensure to
20 30 implement this section.

20 31 Sec. _____. Section 154E.4, subsection 2, Code
20 32 Supplement 2005, is amended by adding the following
20 33 new paragraph:

20 34 NEW PARAGRAPH. e. Students enrolled in a school
20 35 of interpreting may interpret only under the direct
20 36 supervision of a permanently licensed interpreter as
20 37 part of the student's course of study.

20 38 Sec. _____. Section 157.2, subsection 1, paragraph
20 39 e, Code Supplement 2005, is amended to read as
20 40 follows:

20 41 e. Employees ~~and residents~~ of hospitals, health
20 42 care facilities, orphans' homes, juvenile homes, and
20 43 other similar facilities who ~~shampoo, arrange, dress,~~
~~20 44 or curl the hair of~~ perform cosmetology services for
20 45 any resident without receiving direct compensation
20 46 from the person receiving the service.

20 47 Sec. _____. Section 157.2, subsection 1, Code
20 48 Supplement 2005, is amended by adding the following
20 49 new paragraph:

20 50 NEW PARAGRAPH. ee. Volunteers for and residents
21 1 of health care facilities, orphans' homes, juvenile
21 2 homes, and other similar facilities who shampoo,
21 3 arrange, dress, or curl the hair, apply makeup, or
21 4 polish the nails of any resident without receiving
21 5 compensation from the person receiving the service.

21 6 Sec. _____. Section 157.10, subsection 1, Code 2005,
21 7 is amended to read as follows:

21 8 1. The course of study required for licensure for
21 9 the practice of cosmetology shall be two thousand one
21 10 hundred clock hours, or seventy semester credit hours
21 11 or the equivalent thereof as determined pursuant to
21 12 administrative rule and regulations promulgated by the
21 13 United States department of education. The clock
21 14 hours, and equivalent number of semester credit hours
21 15 or the equivalent thereof as determined pursuant to
21 16 administrative rule and regulations promulgated by the
21 17 United States department of education, of a course of
21 18 study required for licensure for the practices of
21 19 electrology, esthetics, ~~and~~ nail technology,
~~21 20 manicuring, and pedicuring~~ shall be established by the
21 21 board. The board shall adopt rules to define the
21 22 course and content of study for each practice of
21 23 cosmetology arts and sciences.

21 24 Sec. _____. Section 157.13, subsection 1, Code
21 25 Supplement 2005, is amended by striking the subsection
21 26 and inserting in lieu thereof the following:

21 27 1. It is unlawful for a person to employ an
21 28 individual to practice cosmetology arts and sciences
21 29 unless that individual is licensed or has obtained a
21 30 temporary permit under this chapter. It is unlawful
21 31 for a licensee to practice with or without
21 32 compensation in any place other than a licensed salon,
21 33 a licensed school of cosmetology arts and sciences, or
21 34 a licensed barbershop as defined in section 158.1.
21 35 The following exceptions to this subsection shall
21 36 apply:

21 37 a. A licensee may practice at a location which is
21 38 not a licensed salon, school of cosmetology arts and
21 39 sciences, or licensed barbershop under extenuating
21 40 circumstances arising from physical or mental
21 41 disability or death of a customer.

21 42 b. Notwithstanding section 157.12, when the
21 43 licensee is employed by a physician and provides
21 44 cosmetology services at the place of practice of a
21 45 physician and is under the supervision of a physician
21 46 licensed to practice pursuant to chapter 148, 150, or

21 47 150A.
21 48 c. When the practice occurs in a facility licensed
21 49 pursuant to chapter 135B or 135C.
21 50 Sec. _____. Section 157.13, Code Supplement 2005, is
22 1 amended by adding the following new subsection:
22 2 NEW SUBSECTION. 1A. It is unlawful for a licensee
22 3 to claim to be a licensed barber, however a licensed
22 4 cosmetologist may work in a licensed barbershop. It
22 5 is unlawful for a person to employ a licensed
22 6 cosmetologist, esthetician, or electrologist to
22 7 perform the services described in section 157.3A if
22 8 the licensee has not received the additional training
22 9 and met the other requirements specified in section
22 10 157.3A.>
22 11 #89. Page 64, by inserting after line 34 the
22 12 following:
22 13 <Sec. _____. Section 237A.5, subsection 2, paragraph
22 14 a, subparagraph (1), Code 2005, is amended to read as
22 15 follows:
22 16 (1) "Person subject to ~~an evaluation~~ a record
22 17 check" means a person ~~who has committed a~~
22 18 ~~transgression~~ and who is described by any of the
22 19 following:
22 20 (a) The person is being considered for licensure
22 21 or registration or is registered or licensed under
22 22 this chapter.
22 23 (b) The person is being considered by a child care
22 24 facility for employment involving direct
22 25 responsibility for a child or with access to a child
22 26 when the child is alone or is employed with such
22 27 responsibilities.
22 28 (c) The person will reside or resides in a child
22 29 care facility.
22 30 (d) The person has applied for or receives public
22 31 funding for providing child care.
22 32 (e) The person will reside or resides in a child
22 33 care home that is not registered under this chapter
22 34 but that receives public funding for providing child
22 35 care.
22 36 Sec. _____. Section 237A.5, subsection 2, paragraph
22 37 a, Code 2005, is amended by adding the following new
22 38 subparagraph:
22 39 NEW SUBPARAGRAPH. (1A) "Person subject to an
22 40 evaluation" means a person subject to a record check
22 41 whose record indicates that the person has committed a
22 42 transgression.
22 43 Sec. _____. Section 237A.5, subsection 2, Code 2005,
22 44 is amended by adding the following new paragraph:
22 45 NEW PARAGRAPH. aa. If an individual person
22 46 subject to a record check is being considered for
22 47 employment by a child care facility or child care
22 48 home, in lieu of requesting a record check to be
22 49 conducted by the department under paragraph "b", the
22 50 child care facility or child care home may access the
23 1 single contact repository established pursuant to
23 2 section 135C.33 as necessary to conduct a criminal and
23 3 child abuse record check of the individual. A copy of
23 4 the results of the record check conducted through the
23 5 single contact repository shall also be provided to
23 6 the department. If the record check indicates the
23 7 individual is a person subject to an evaluation, the
23 8 child care facility or child care home may request
23 9 that the department perform an evaluation as provided
23 10 in this subsection. Otherwise, the individual shall
23 11 not be employed by the child care facility or child
23 12 care home.
23 13 Sec. _____. Section 237A.5, subsection 2, paragraph
23 14 b, Code 2005, is amended to read as follows:
23 15 b. ~~The~~ Unless a record check has already been
23 16 conducted in accordance with paragraph "aa", the
23 17 department shall conduct a criminal and child abuse
23 18 record checks check in this state for a person who is
23 19 subject to a record check and may conduct these checks
23 20 such a check in other states. In addition, the
23 21 department may conduct a dependent adult abuse, sex
23 22 offender registry, ~~and~~ or other public or civil
23 23 offense record ~~checks~~ check in this state or in other
23 24 states for a person who is subject to a record check.
23 25 ~~If the department a record check performed pursuant to~~
23 26 this paragraph identifies an individual as a person
23 27 subject to an evaluation, an evaluation shall be

23 28 performed to determine whether prohibition of the
23 29 person's involvement with child care is warranted.
23 30 The evaluation shall be performed in accordance with
23 31 procedures adopted for this purpose by the department.
23 32 Prior to performing an evaluation, the department
23 33 shall notify the affected person, licensee,
23 34 registrant, or child care home applying for or
23 35 receiving public funding for providing child care,
23 36 that an evaluation will be conducted to determine
23 37 whether prohibition of the person's involvement with
23 38 child care is warranted.>

23 39 #90. Page 64, by inserting before line 35 the
23 40 following:

23 41 <Sec. _____. Section 249J.5, Code Supplement 2005,
23 42 is amended by adding the following new subsection:
23 43 NEW SUBSECTION. 9. Following initial enrollment,
23 44 an expansion population member shall reenroll annually
23 45 by the last day of the month preceding the month in
23 46 which the expansion population member initially
23 47 enrolled. The department may provide a process for
23 48 automatic reenrollment of expansion population
23 49 members.>

23 50 #91. Page 65, by striking lines 2 through 17 and
24 1 inserting the following:

~~24 2 <a. Beginning no later than March 1, 2006, within
24 3 ninety days of enrollment in the expansion population,
24 4 each Each expansion population member who enrolls or
24 5 reenrolls in the expansion population on or after
24 6 January 31, 2007, shall participate, in conjunction
24 7 with receiving a single comprehensive medical
24 8 examination and completing a personal health
24 9 improvement plan, in a health risk assessment
24 10 coordinated by a health consortium representing
24 11 providers, consumers, and medical education
24 12 institutions. An expansion population member who
24 13 enrolls in the expansion population prior to March 1,
24 14 2006, shall participate in the health risk assessment,
24 15 receive the single comprehensive medical examination,
24 16 and complete the personal health improvement plan by
24 17 June 1, 2006. The criteria for the health risk
24 18 assessment, the comprehensive medical examination, and
24 19 the personal health improvement plan shall be
24 20 developed and applied in a manner that takes into
24 21 consideration cultural variations that may exist
24 22 within the expansion population.>~~

24 23 #92. Page 65, by inserting after line 24 the
24 24 following:

24 25 <Sec. _____. Section 249J.6, subsection 2, Code
24 26 Supplement 2005, is amended by adding the following
24 27 new paragraphs:
24 28 NEW PARAGRAPH. d. Following completion of an
24 29 initial health risk assessment, comprehensive medical
24 30 examination, and personal health improvement plan, an
24 31 expansion population member may complete subsequent
24 32 assessments, examinations, or plans with the
24 33 recommendation and approval of a provider specified in
24 34 paragraph "c".
24 35 NEW PARAGRAPH. e. Refusal of an expansion
24 36 population member to participate in a health risk
24 37 assessment, comprehensive medical examination, or
24 38 personal health improvement plan shall not be a basis
24 39 for ineligibility for or disenrollment from the
24 40 expansion population.

24 41 Sec. _____. Section 249J.8, subsections 1 and 2,
24 42 Code Supplement 2005, are amended to read as follows:

24 43 1. Beginning July 1, 2005, each expansion
24 44 population member whose family income equals or
24 45 exceeds one hundred percent of the federal poverty
24 46 level as defined by the most recently revised poverty
24 47 income guidelines published by the United States
24 48 department of health and human services shall pay a
24 49 monthly premium not to exceed one-twelfth of five
24 50 percent of the member's annual family income, and each
25 1 expansion population member whose family income is
25 2 less than one hundred percent of the federal poverty
25 3 level as defined by the most recently revised poverty
25 4 income guidelines published by the United States
25 5 department of health and human services shall pay a
25 6 monthly premium not to exceed one-twelfth of two
25 7 percent of the member's annual family income. All
25 8 premiums shall be paid on the last day of the month of

25 9 coverage. The department shall deduct the amount of
25 10 any monthly premiums paid by an expansion population
25 11 member for benefits under the healthy and well kids in
25 12 Iowa program when computing the amount of monthly
25 13 premiums owed under this subsection. An expansion
25 14 population member shall pay the monthly premium during
25 15 the entire period of the member's enrollment.
25 16 ~~However, regardless~~ Regardless of the length of
25 17 enrollment, the member is subject to payment of the
25 18 premium for a minimum of four consecutive months.
25 19 ~~However, an expansion population member who complies~~
25 20 ~~with the requirement of payment of the premium for a~~
25 21 ~~minimum of four consecutive months during a~~
25 22 ~~consecutive twelve-month period of enrollment shall be~~
25 23 ~~deemed to have complied with this requirement for the~~
25 24 ~~subsequent consecutive twelve-month period of~~
25 25 ~~enrollment and shall only be subject to payment of the~~
25 26 ~~monthly premium on a month-by-month basis.~~ Timely
25 27 payment of premiums, including any arrearages accrued
25 28 from prior enrollment, is a condition of receiving any
25 29 expansion population services. Premiums collected
25 30 under this subsection shall be deposited in the
25 31 premiums subaccount of the account for health care
25 32 transformation created pursuant to section 249J.23.
25 33 An expansion population member shall also pay the same
25 34 copayments required of other adult recipients of
25 35 medical assistance.

25 36 2. The department may reduce the required out-of-
25 37 pocket expenditures for an individual expansion
25 38 population member based upon the member's increased
25 39 wellness activities such as smoking cessation or
25 40 compliance with the personal health improvement plan
25 41 completed by the member. The department shall also
25 42 waive the required out-of-pocket expenditures for an
25 43 individual expansion population member based upon a
25 44 hardship that would accrue from imposing such required
25 45 expenditures. Information regarding the premium
25 46 payment obligation and the hardship exemption,
25 47 including the process by which a prospective enrollee
25 48 may apply for the hardship exemption, shall be
25 49 provided to a prospective enrollee at the time of
25 50 application. The prospective enrollee shall
26 1 acknowledge, in writing, receipt and understanding of
26 2 the information provided.>

26 3 #93. Page 65, by inserting after line 35 the
26 4 following:

26 5 <Sec. _____. Section 249J.24, subsections 1 and 6,
26 6 Code Supplement 2005, are amended to read as follows:

26 7 1. An IowaCare account is created in the state
26 8 treasury under the authority of the department of
26 9 human services. Moneys appropriated from the general
26 10 fund of the state to the account, moneys received as
26 11 federal financial participation funds under the
26 12 expansion population provisions of this chapter and
26 13 credited to the account, moneys received for
26 14 disproportionate share hospitals and credited to the
26 15 account, moneys received for graduate medical
26 16 education and credited to the account, proceeds
26 17 ~~transferred distributed~~ from the county treasurer as
26 18 specified in subsection 6, and moneys from any other
26 19 source credited to the account shall be deposited in
26 20 the account. Moneys deposited in or credited to the
26 21 account shall be used only as provided in
26 22 appropriations or distributions from the account for
26 23 the purposes specified in the appropriation or
26 24 distribution. Moneys in the account shall be
26 25 appropriated to the university of Iowa hospitals and
26 26 clinics, to a publicly owned acute care teaching
26 27 hospital located in a county with a population over
26 28 three hundred fifty thousand, and to the state
26 29 hospitals for persons with mental illness designated
26 30 pursuant to section 226.1 for the purposes provided in
26 31 the federal law making the funds available or as
26 32 specified in the state appropriation and shall be
26 33 distributed as determined by the department.

26 34 6. a. Notwithstanding any provision to the
26 35 contrary, ~~from each semiannual~~ for the collection of
26 36 taxes levied under section 347.7 for which the
26 37 collection is performed after July 1, 2005, the county
26 38 treasurer of a county with a population over three
26 39 hundred fifty thousand in which a publicly owned acute

26 40 care teaching hospital is located shall ~~transfer~~
26 41 distribute the proceeds collected pursuant to section
26 42 347.7 in a total amount of thirty-four million dollars
26 43 annually, which would otherwise be distributed to the
26 44 county hospital, to the treasurer of state for deposit
26 45 in the IowaCare account under this section as follows:

26 46 (1) The first seventeen million dollars in
26 47 collections pursuant to section 347.7 between July 1
26 48 and December 31 annually shall be distributed to the
26 49 treasurer of state for deposit in the IowaCare account
26 50 and collections during this time period in excess of
27 1 seventeen million dollars shall be distributed to the
27 2 acute care teaching hospital identified in this
27 3 subsection.

27 4 (2) The first seventeen million dollars in
27 5 collections pursuant to section 347.7 between January
27 6 1 and June 30 annually shall be distributed to the
27 7 treasurer of state for deposit in the IowaCare account
27 8 and collections during this time period in excess of
27 9 seventeen million dollars shall be distributed to the
27 10 acute care teaching hospital identified in this
27 11 subsection.

27 12 b. The board of trustees of the acute care
27 13 teaching hospital identified in this subsection and
27 14 the department shall execute an agreement under
27 15 chapter 28E by July 1, 2005, and annually by July 1,
27 16 thereafter, to specify the requirements relative to
27 17 ~~transfer~~ distribution of the proceeds and the
27 18 distribution of moneys to the hospital from the
27 19 IowaCare account. The agreement shall include
27 20 provisions relating to exceptions to the deadline for
27 21 submission of clean claims as required pursuant to
27 22 section 249J.7 and provisions relating to data
27 23 reporting requirements regarding the expansion
27 24 population. The agreement may also include a
27 25 provision allowing such hospital to limit access to
27 26 such hospital by expansion population members based on
27 27 residency of the member, if such provision reflects
27 28 the policy of such hospital regarding indigent
27 29 patients existing on April 1, 2005, as adopted by its
27 30 board of hospital trustees pursuant to section 347.14,
27 31 subsection 4.

27 32 c. Notwithstanding the specified amount of
27 33 proceeds to be ~~transferred~~ distributed under this
27 34 subsection, if the amount allocated that does not
27 35 require federal matching funds under an appropriation
27 36 in a subsequent fiscal year to such hospital for
27 37 medical and surgical treatment of indigent patients,
27 38 for provision of services to expansion population
27 39 members, and for medical education, is reduced from
27 40 the amount allocated that does not require federal
27 41 matching funds under the appropriation for the fiscal
27 42 year beginning July 1, 2005, the amount of proceeds
27 43 required to be ~~transferred~~ distributed under this
27 44 subsection in that subsequent fiscal year shall be
27 45 reduced in the same amount as the amount allocated
27 46 that does not require federal matching funds under
27 47 that appropriation.>

27 48 #94. Page 66, by inserting after line 10 the
27 49 following:

27 50 <Sec. _____. Section 272C.1, subsection 6, Code
28 1 Supplement 2005, is amended by adding the following
28 2 new paragraph:

28 3 NEW PARAGRAPH. ad. The director of public health
28 4 in certifying emergency medical care providers and
28 5 emergency medical care services pursuant to chapter
28 6 147A.

28 7 Sec. _____. Section 691.6, Code Supplement 2005, is
28 8 amended by adding the following new subsection:

28 9 NEW SUBSECTION. 8. To retain tissues, organs, and
28 10 bodily fluids as necessary to determine the cause and
28 11 manner of death or as deemed advisable by the state
28 12 medical examiner for medical or public health
28 13 investigation, teaching, or research. Tissues,
28 14 organs, and bodily fluids shall be properly disposed
28 15 of by following procedures and precautions for
28 16 handling biologic material and blood-borne pathogens
28 17 as established by rule.

28 18 Sec. _____. 2004 Iowa Acts, chapter 1175, section
28 19 432, subsection 3, is amended to read as follows:

28 20 3. Applicants issued a temporary license pursuant

28 21 to this section shall pass a licensure examination
28 22 approved by the board on or before July 1, 2007, in
28 23 order to ~~remain licensed as an interpreter~~ qualify to
28 24 ~~be licensed by examination.~~>

28 25 #95. Page 66, line 33, by inserting after the
28 26 figure <500,000,> the following: <shall be credited
28 27 to the general fund of the state, and the remainder>.

28 28 #96. Page 67, by inserting after line 21 the
28 29 following:

28 30 <Sec. _____. Section 157.5A, Code 2005, is
28 31 repealed.>

28 32 #97. Page 67, by striking lines 22 through 24 and
28 33 inserting the following:

28 34 <Sec. _____. EFFECTIVE DATE. The provisions of this
28 35 division of this Act amending sections 249J.5, 249J.8,
28 36 249J.20, and 249J.24, being deemed of immediate
28 37 importance, take effect upon enactment.

28 38 Sec. _____. EFFECTIVE DATE == RETROACTIVE
28 39 APPLICABILITY. The sections of this division of this
28 40 Act amending section 249J.6, being deemed of immediate
28 41 importance, take effect upon enactment and are
28 42 retroactively applicable to March 1, 2006.>

28 43 #98. Title page, line 4, by inserting after the
28 44 word <home,> the following: <the department of human
28 45 rights,>.

28 46 #99. Title page, line 7, by striking the words
28 47 <providing effective dates> and inserting the
28 48 following: <including effective, applicability, and
28 49 retroactive applicability date provisions>.

28 50 #100. By renumbering as necessary.

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29 4 JACK HATCH

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29 8 MAGGIE TINSMAN

29 9 HF 2734.322 81

29 10 pf/cf/6061